

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, October 24, 2000
Tuesday, 9:07 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Rev. Carolyn Rose Brown, First Unitarian Universalist Church, gave the invocation.

*Council Member Gale present.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

AWARDS AND PRESENTATIONS

PROCLAMATIONS	Proclamations previously approved were presented.
RECOGNITION	The Official Delegation from Wichita's Sister City, Orleans, France, was recognized.
RECOGNITION	International students were recognized.
RECEPTION	A reception honoring the Sister City Delegation and International Students was held.

NEW BUSINESS

IRB HALL'S CULLIGAN LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – HALL'S CULLIGAN WATER. (District II)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No. 00-1044.

Hall's Culligan Water (Culligan Water) is requesting the issuance of a six-month Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$3.7 million. Bond proceeds will be used to finance the cost of acquiring, constructing and equipping a corporate office, manufacturing plant and warehouse facility. Culligan Water is also requesting the City Council's approval of a 100% five-year tax exemption on personal property. The new facility will be located at Greenwich Road and 26th Street North in northeast Wichita.

Culligan Water is a franchise of Culligan Water Technologies. Culligan Water business is water quality improvement for homeowners, commercial and establishments, and industry. While a portion of the Project's use will be to serve local customers, the facility will also act as a regional water bottling plant and Ultra Pure water equipment manufacturing plant. The bottled water will be distributed statewide, and the equipment manufactured at the Project will be shipped to customers and Culligan dealerships nationwide.

The Project will also serve as the corporate headquarters for the six Culligan dealerships operated by Culligan Water. Four of these dealerships are located in Kansas and two are located in the state of Ohio. The new 52,000 SF facility will provide corporate functions for these locations, including management, marketing, payroll and accounting. Culligan Water currently has a total of 70 employees located in Wichita, and has committed to hire 15 new employees (in Wichita) over the next five years.

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An analysis of the uses of project funds:

USES OF FUNDS

Purchase Land	\$ 346,000
Construct New Building and Site Improvements	2,697,500
Fixtures and Equipment	630,000
Issuance Costs	<u>26,500</u>
Total Cost of Project:	\$3,700,000

The Company plans to privately place the bonds with a financial institution. The Company agrees to comply with the City's requirements contained in the Standard Letter of Intent conditions. The cost/benefit analysis based on the fiscal and economic impact model of the Wichita State University's Center for Economic Development and Business Research reflects cost/benefit ratios as follows:

City	3.70 to one
County	2.98 to one
USD 375	1.21 to one
State	30.19 to one

The Company agrees to pay all costs of issuing the bonds and the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City's Business Incentive Policy, the Company qualifies for a 100% five-year tax exemption on real and personal property financed with bond proceeds.

The estimated first year's taxes on Culligan Water's proposed \$3.7 million expansion would be \$66,852, on real property improvements and \$13,380 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$80,232 of new taxes for the real and personal property tax rolls. The tax exemption would be shared among the taxing entities as follows: City - \$25,419; County/State - \$24,442; and USD 375 - \$30,371.

Bond documents needed for the issuance of bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotta moved that the public hearing be closed, a Letter of Intent to the Company for Industrial Revenue Bonds in an amount not-to-exceed \$3,700,000 and a five-year 100% tax exemption on bond-financed property, subject to the Standard Letter of Intent conditions, be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

MACHINING SPECS.

TAX EXEMPTION REQUEST – MACHINING SPECIALISTS, INC. (District IV)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1045.

Machining Specialist, Inc., (MSI), located at 435 S. Illinois in southwest Wichita, was locally formed in 1997. Since inception, Machining Specialist, Inc. has sustained consistent growth in manufacturing parts for the aerospace industry. As a result of continuous growth in sales, MSI is planning an expansion of their manufacturing capacity, including acquisition of new manufacturing equipment in the amount of \$585,250. MSI is requesting approval of a five-year 76.75% Economic Development Tax Exemption on new manufacturing equipment, in conjunction with the expansion project.

MSI is a company that manufactures small and medium sized parts principally for the aerospace industry. The company is capable of machining parts up to 20 feet long out of the following materials: aluminum, steel, stainless, titanium, phenolics and nylon. MSI specializes in luggage ladders, flap screws, and rudder assemblies for aircrafts. MSI will purchase equipment that will allow them to compete for work that many times could not be manufactured in the Wichita area. MSI is an approved supplier with several major Wichita aerospace manufacturers.

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MSI currently employs 20 persons at its existing facility and plans to add at least 8 new jobs over the next five years by expanding operations through acquisition of new manufacturing equipment. MSI exports 97% of all production of Kansas via Boeing, Raytheon, and Cessna.

Under the City's Business Incentives Policy, MSI is eligible for the following:

TAX EXEMPTION ELIGIBILITY

<u>ELIGIBLE %</u>	<u>INCENTIVE</u>	<u>EXPLANATION</u>
19.5%	New Job Creation:	MSI will create at least 8 new jobs.
9.75%	Capital Improvements:	MSI will invest at least \$585,250.
29.25%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
48.5%	Export Premium:	MSI exports 97% of its product outside Kansas.
47.5%	Sub Total – Export Premium (Maximum allowed is 50%)	
0%	Location Premium:	MSI is located in the central redevelopment area. additional 20% allowed)
77.75%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

MSI is eligible for a 77.75% tax exemption for a five-year term on new manufacturing equipment. A notice of public hearing has been published. MSI has agreed to comply with the conditions set forth in the 1999 revised Business Incentive Policy.

The estimated first year taxes on the proposed \$585,250 expansion would be \$12,429, based on the 2000 mill levy. Using the allowable tax exemption of 76.75 percent, the City would be exempting (for the first year) \$12,429 of new taxes from the personal property tax rolls. The tax exemption would be shared among the taxing entities as follows; City - \$3,938; County/State – 3,786; and USD 259 – 4,705.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	3.33 to one
Sedgwick County	2.47 to one
USD 259	1.76 to one
State of Kansas	13.67 to one

The City Attorney's Office will review and approve the documents as to form prior to the adoption of the Ordinance.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Gale moved that the public hearing be closed, a 77.75% tax exemption on personal property improvements for a five-year term be approved; and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Machining Specialists, Inc., so exempted, introduced and under the rules laid over.

GILBERT AND MOSLEY GILBERT AND MOSLEY – REMEDIATION.

Jack Brown

Environmental Health reviewed the Item.

Report No. 00-1046.

On March 2, 1999, the City Council approved the submittal of a preferred project remedial alternative to KDHE. The City recommended an enhanced pump and treatment system for clean up of groundwater plumes A,B,E in the Gilbert and Mosley site. Within the Gilbert and Mosley site there are 6 plumes, plumes C, D, and F are smaller and being dealt with through other approaches. This cleanup method was referred to as Alternative 2b, Enhanced Pump and Treat, for groundwater remediation of the off-site ground water contamination found within the Gilbert and Mosley project area. This “preferred alternative”, with design and engineering specifications completed by the

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City's contract environmental engineer Camp Dresser and McKee, was consequently submitted to the Kansas Department of Health and Environment (KDHE) for review on April 27, 1999.

On October 5, 2000, KDHE completed its review of the preferred Alternative 2b enhanced Pump and Treat design, approved the design recommended by the City and authorized the City to proceed with construction. This design approval is officially titled Gilbert and Mosley Site, Wichita, Kansas, Final Design Report, Final Interim Groundwater Remediation, Plumes ABE (Final Design Report). The design will consist of 13 groundwater extraction wells located throughout the A,B and E ground water contamination plumes pumping 1.2 to 1.7 million gallons of water daily through approximately 5.5 miles of distribution pipe to a water treatment system located in a building to be constructed in Herman Hill Park. The water treatment system in Herman Hill will remove the contaminants to regulatory levels for discharge into the Arkansas River. The water treatment system will be designed to accommodate various end uses of the remediated water such as irrigation, water features such as a meandering stream and step pools. Also to be considered are environmental education opportunities at the Herman Hill treatment facility i.e. an observation window for the remediation system and an aquarium with native fish and aquatic life.

With this approval by KDHE, the City is now ready to proceed with the actual construction of the remedial system. In order to proceed with this project, staff will need to negotiate a contract amendment with Camp Dresser and McKee for construction engineering of the project. This contract amendment will be returned to the City Council for approval in the very near future. It is anticipated that once the contract amendment is approved by the Council that construction would be completed within 9 months. Based on the current projected schedule this remediation project could be completed within the 3rd quarter of 2001.

KDHE and the City of Wichita will coordinate any information sessions that are necessary to provide information to the public and formally initiate the project.

The estimated cost for construction of the ground water remediation system is 5.5 million dollars. Funding for this project is contained in the Gilbert & Mosley TIF budget for FY 2000 and 2001.

The Law Department will be involved in the negotiations and drafting of a construction contract with CDM.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that remediation design concept be approved and Staff be authorized to negotiate a construction Contract with CDM. Motion carried 7 to 0.

SOLICITATIONS

CHARITABLE SOLICITATIONS.

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 00-0767A.

The City Council reviewed the practice of charitable collections on public rights of way at the August 8, 2000 meeting. Concerns of safety and citizen complaints were discussed due to the increasing numbers of individuals and organizations collecting donations on public rights of way at major intersections. Collectors, including children, are often observed leaving the curb or the median to approach motorists for donations. Certain organizations have traditionally utilized the collection method on specific holidays to fund local efforts. City Departments have routinely assisted with the collection. The collection method is regulated by two separate ordinances that prohibit individuals from entering the roadways to request donations. The City Council referred the item to the District Advisory Boards for citizen feedback.

Although the recommendations of the District Advisory Boards varied, consistent issues of discussion included public safety, municipal liability, and enforcement of existing ordinances. Two (2) Boards took no formal action but expressed strong concerns about assuring safety for collectors and the motorists; consistent enforcement for all charitable organizations of the ordinance that applies to collecting from public rights of way; and granting waivers of the existing ordinances. Even though recognition was given to the potential loss of revenue for local non-profits, Board Members stated that the organizations should be prohibited from utilizing the intersection corners and medians, and encouraged organization representatives who spoke at the meetings to explore safer methods of collecting. Three (3) Boards also recommended that a permit process be developed with requirements such as age limits for individuals participating in the collection; pre-event training on safety and existing regulations; use of only designated streets and intersections; verification of organization's non-profit status and liability insurance; establishment of a fee to cover administrative costs of the permit program; and, the right to refuse approval by the City. One (1) Board recommended that a task force be created to examine options, including a permit process

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Primary issues include: 1) safety of solicitors and motorists; 2) municipal liability; 3) enforcement of existing Ordinances prohibiting persons to solicit in the roadways; and, 4) possible decrease of funding for local non-profit organization, if solicitation on public rights-of-way is prohibited. Although the permit recommendations may help address the issues, the safety hazards for both pedestrians and motorists still exists.

Fees generated by a permit program will provide for administrative costs.

Current City ordinances prohibit persons from being in the roadway to solicit donations from motorists:

Section 11.44.050(b) provides: "No person shall stand in a roadway for the purpose of soliciting employment, business, or contributions from an occupant of any vehicle."

Section 11.44.020 (c) provides: "No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard."

Gary Rebenstorf Director of Law explained that the City could not adopt Ordinances with lesser requirements than State Statutes.

Mayor Knight Mayor Knight inquired if anyone wished to be heard.

Representative from MDA spoke in favor of legislative changes.

Representative from Salvation Army asked about doing solicitation as has been done in the past.

Mayor Knight Mayor Knight suggested the current ordinances be followed.

Motion -- Knight moved that Council reaffirm the ordinances and that the Legal Department and City Manager's Office
-- carried develop legislative initiative.. Motion carried 7 to 0.

Mayor Knight left the Bench; Vice Mayor Lambke in the Chair.

ART & DESIGN BOARD ART AND DESIGN BOARD EXPANSION.

Chris Cherches City Manager reviewed the Item.

Agenda Report No. 00-1047.

On February 9, 1999, the City Council approved the Wichita Cultural Plan as part of the community's cultural planning process. As a part of plan approval, the Council authorized the creation of the Arts and Humanities Council as the focal point for coordinating the visibility and promotion (community marketing) of cultural arts in the City of Wichita. The Cultural Arts Plan also supported the creation of a nine-member Art and Design Board to make recommendations on the incorporation of art and aesthetic design into public projects and to develop and define design criteria for public improvement projects. This board was also approved at the February meeting and its work products are linked to the work of the Arts and Humanities Council.

Since the inception of the nine-member Art and Design Board in February, 1999, the board has seen an increase in the number of public improvement projects reviewed for the appropriateness and inclusion of public art and design into the project. Due to the increasing number of projects reviewed, this volunteer board has increased its meeting times from once a month to twice a month making attendance difficult for many of the members.

To address the need to adequately address the aesthetic qualities of public projects by this board, it is proposed to expand the board from nine (9) to fifteen (15) members. This expansion will allow the creation of three sub-committees that will be assigned projects to review with City staff. The sub-committees will be able to develop the criteria needed for projects before the full board meeting allowing the full board to maximize its meeting time and eliminate review delays so that projects can move forward in a timely manner.

The recommendation by the current Art and Design Board is to keep its same disciplines on the board, but to expand the numbers. The current and proposed board membership is outlined in the following chart.

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Current Membership

Two Architects
Two Landscape Architects
Two Engineers
One Artist
One Graphic Designer
One Representative at Large
Total Membership of 9

Proposed Membership

Three Architects
Three Landscape Architects
Three Engineers
Two Artists
One Graphic Designer
Three Representatives at Large
Total Membership of 15

Currently seven of the nine members are appointed by the Mayor (with the approval by they City Council) and two members are appointed by the City Manager. It is proposed that the appointments by the Mayor (with the approval by the City Council) increase by four members and the appointments by the Manager increase by two members.

The City continues to provide financial support for cultural arts programming and staffing within the budgeted amounts approved by the Council.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Lambke moved that amendment increasing membership to the Art and Design Board be approved and the Ordinance be placed on first reading. Motion carried 6 to 0. (Knight absent)

ORDINANCE

An Ordinance amending Section 2.12.1120 of the Code of the City of Wichita, Kansas, pertaining to the Art and Design Board, introduced and under the rules laid over.

Mayor Knight present and in the Chair.

A 00-17

A 00-17: REQUEST TO ANNEX LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 45TH STREET NORTH AND OLIVER STREET. (District I)

Marvin Krout

Director of Planning reviewed the Item

Agenda Report No. 00-1048.

The City has received a request to annex approximately 71.3 acres situated at the southwest corner of 45th Street North and Oliver Street. The site does not abut the current City of Wichita limits. Therefore, the City petitioned Sedgwick County to permit this "island" to be annexed. The County Commission approved the City's request on October 18, 2000. The City of Bel Aire is located immediately east of the site. The property owner is planning to develop the site with 175 single-family (SF-6) dwellings and 8 acres of Limited Commercial (LC) property. The staging of development has been planned over multiple years, with 100% of development projected to occur within 10 years.

Land Use and Zoning: The annexation site is presently in agricultural use and consists of one (1) undeveloped tract of land zoned "SF-20" Single Family Residential and "LC" Limited Commercial. Land north, south, and west of the site is also in agricultural production and is zoned "SF-20" Single Family Residential. The City of Bel Aire is located east of the site with single family residential housing. Upon annexation, the "SF-20" Single Family Residential zoning of the subject property will convert to "SF-6" Single Family Residential. As prescribed in the Wichita Land Use Guide of the 1999 Update to the Comprehensive Plan, recently adopted by the City Council on July 11, 2000, this zoning change and proposed land uses would not be consistent with the industrial land use designation for this area west of Oliver.

Public Services: Currently no City water and sewer lines serve the site proposed for annexation, and the developer has requested services be extended. The City Water and Sewer Department indicates that the subject property proposed for annexation will likely connect to a 16" water main along Oliver Street extended from 37th Street North to 45th Street North. For sewer, it is anticipated that the installation of a lift station would be required at the southwest corner of the site. Also, the construction of a 6-inch force main would be required from the lift station to an existing 10-inch sanitary sewer line located to the south and west of the Koch Industries complex.

Street System: The property proposed for annexation will have access to Oliver Street, which serves the area as the nearest major north-south road, and 45th Street North, which serves the area as the nearest major east-west road.

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Both streets are two-lane arterials. In the 2000-2004 Sedgwick County Capital Improvement Program (C.I.P.), the County identifies the future need to widen Oliver Street between the 45th Street North and 37th Street North at an estimated cost of \$2,500,000.

Public Safety: Under the City-County first response agreement, fire services to this site can be provided most readily, within a five (5) to six (6) minute approximate response time, from County Station #32 located at 501 East 53rd Street North. Upon annexation, police protection will be provided to the area by the Patrol North Bureau of the Wichita Police Department, headquartered at 3015 East 21st Street North.

Parks: Two parks and a greenway are located approximately two (2) miles southeast and southwest of the property proposed for annexation. Located southeast of the site, Chisholm Creek Park, a 281.90-acre regional park, features a 1.6 mile nature trail along Chisholm Creek, a wetlands area, and the Great Plains Nature Center. Located southwest of the site, Grove Park, a 125.85-acre regional park, contains a football field, basketball court, play area, and picnic area. The Chisholm Greenway, running along Chisholm Creek, connects Chisholm Creek Park and Grove Park.

School District: The property is located in Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The property is also located within the Wichita 2010 urban service area, as depicted in the 1999 Update to the Comprehensive Plan, recently adopted by the City Council. However, the Plan recommends industrial rather than residential land use.

The property proposed for annexation has not yet been platted. The total appraised value of the property is \$11,190, resulting in an assessed value of \$1,287. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$40 in City annual tax revenues for the property. The future assessed value of this property will depend on the timing of development, the type of development, and the current mill levy. However, the applicant projects an overall appraised value of \$25,340,800 when development is completed, resulting in an assessed value of \$3,972,700. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$124,767 in City annual tax revenues.

The capital cost to the City for sewer and water extensions is estimated at \$595,000. The petitioner is requesting a waiver of Policy 32 for the utility extension costs to be borne by the City through the Water and Sewer CIP Program.

The property is eligible for annexation under K.S.A. 12-520.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Rogers moved that a Declaration of Emergency be declared and the necessary signatures be authorized; the annexation request be approved; the necessary signatures be authorized; and the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

-- carried

ORDINANCE NO. 44-800

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas. Rogers moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 00-17

CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum Item No. 21a, except Item #14b, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

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BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED OCTOBER 24, 2000.

Bids were opened October 20, 2000, pursuant to advertisements published on:

Lateral 139, Main 4, Sanitary Sewer #23 to serve Unplatted Tract - north of 35th Street North, west of Broadway. (468-83061/743826/480514) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

McCullough Excavation - \$3,600.00

Water main replacement in 31st Street South from Everett to Elizabeth and Glenn from 31st Street South to 27th Street South - 31st Street South between Seneca & Meridian. (448-89443/635620/769680) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

K C Excavating - \$346,764.00

Public parking lot improvements at the Southeast Corner of First Street and Washington - North of Douglas, East of Washington. (472-83209/706786/132242 /405241) Traffic to be maintained during construction using flagpersons and barricades. (District I)

Cornejo & Sons Construction - \$79,363.80

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Roof Repairs – Finney State Office Building. (205203)

Larry Booze Roofing Inc. - \$9,777.00 (Total net bid)

AIRPORT AUTHORITY DEPARTMENT/ENGINEERING DIVISION General Aviation Apron Seal, Colonel James Jabara Airport. (190108 UC 1 1008)

Townsko Contracting Co., Inc. - \$148,700.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Exterior Renovation of Omnisphere. (792314)

Roof Mechanics Inc. - \$47,800.00 (Group I/total net base bid)
\$ 4,800.00 (Group I/option #1; add lump sum)

Robl Commercial Construction Inc. - \$57,229.00 (Group III/total net base bid)

Sutherland Builders Inc. - \$154,966.00* (Group V/total net base bid)
\$ 7,783.00* (Group V/option 2 add)
\$ 21,450.00* (Group V/option 3 add)

*Negotiated

PARK DEPARTMENT/MAINTENANCE DIVISION: Triplex Riding Greens Mower. (170258)

Turf Professionals Equipment Inc. - \$42,472.00 (Total alternate bid)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

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CMB LICENSES

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Danny Vo	Lotus Garden Restaurant*	2135 West 21st Street North
Teresa Vasquez	El Patio Café*	424 East Central
William N. Smith	Wichita State University dba Rhatigan Student Center*	1845 Fairmount
Lan Thy Ta	Kim Huong Restaurant*	1410 North Broadway
John J. Murphy	Pizza Hut #301007*	550 North West Street
John J. Murphy	Pizza Hut #301008*	1708 East Pawnee
John J. Murphy	Pizza Hut #301020*	8977 West Central
John J. Murphy	Pizza Hut #301046*	333 East 47th Street South
John J. Murphy	Pizza Hut #301065*	2181 North Rock Road
John J. Murphy	Pizza Hut #301073*	1035 North Broadway
Mary T. Villar	Ol Mexico Café Inc.*	6140 East 21st Street

(Consumption off Premises)

Stacey W. Mack	Welcome Smokers dba Smoker Friendly	3802 East Harry
John G. Wylie	HELLO Property Development Corp. HELLO CSS #122	550 North Webb Road
Don Farquhar	Rolling Hills, CC Golf Shop	9612 West Maple

<u>New Establishment</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Jo Lynn Blood	Pine Bay Golf Course, Inc.*	6615 South Grove

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no sub-division plans and specifications submitted.

PRELIMINARY ESTS.

PRELIMINARY ESTIMATES:

- a) Cessna Park parking lot improvements (Phase 2) - north of Pawnee, east of Oliver. (472-82969/785865 /399118) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$50,000.00
- b) 32nd Street North from the east line of Fairview to and including a hammerhead turnaround east of the drainage ditch to serve Gibbons Gardens Addition, Unplatted Tracts in Sec 32, TWP 26S, R1E - south of 33rd Street North, east of Arkansas. (472-83128/765593/490704) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$116,160.00
- c) Fairview from the north line of 32nd Street North to the south line of 33rd Street North to serve Gibbons Gardens Addition, Jones Park Addition - south of 33rd Street North, east of Arkansas. (472-83150 /765608 /490719) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$120,100.00
- d) Cranbrook from the north line of Lot 1, Block 6, south to the south line of the plat; Mt Vernon Street from the east line of Cranbrook, east to the east line of the plat; and sidewalk along both sides of Cranbrook, from the north line of Lot 1, Block 6, south to the south line of the plat. to serve Huntcrest Second Addition - south of Harry, east of Webb. (472-83122/765640/490751) Does not affect existing traffic. (District III) - \$134,800.00
- e) Cypress/38th Street North from the north line of 37th Street North to the west line of Webb Road to serve Industrial Air Center and Industrial Air Center Second Addition - north of 37th Street North, west of Webb. (472-82889/765645/490756) Does not affect existing traffic. (District II) - \$410,000.00

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- d) Lateral 125, Main 4, Sanitary Sewer No. 23 to serve PMT Addition and Unplatted Tract - north of 36th Street North at Armstrong. (468-82272/741447/480236) Does not affect existing traffic. (District VI) - \$50,000.00
- e) Water distribution system to serve Buckhead Third Addition - north of Central, west of 119th Street West. (448-89280/734986/470656) Does not affect existing traffic. (District VI) - \$72,000.00
- f) Water distribution system to serve Killenwood Pointe Addition - south of 13th Street north, east of Greenwich. (448-89495/734988/) Does not affect existing traffic. (District II) - \$27,600.00
- g) Water distribution system to serve Killenwood Pointe Addition - south of 13th Street north, east of Greenwich. (448-89491/734987/) Does not affect existing traffic. (District II) - \$29,600.00
- h) Tee Time from the west line of Lakecrest to the north line of Lot 34, Block 4 and the north line of Lot 16, Block 5; Lakecrest Circle serving Lots 13 through 26, Block 4; and Sidewalk on the east side of Tee Time, from the west line of Lakecrest to the north line of Lot 16, Block 5, to serve Forest Lakes to serve Forest Lakes - north of 29th Street North, west of Ridge. (472-82699/765647/490758) Does not affect existing traffic. (District V) - \$182,290.00
- i) Water main replacement in Fairview from 26th Street North to 27th Street North to serve F.C. McTaggart's Addition to serve F.C. McTaggart's Addition - south of 29th St. N., west of Broadway. (448-89441/635622/760682) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$56,500.00
- j) Water main replacement in Jackson from 26th Street North to 27th Street North to serve F.C. McTaggart's Addition to serve F.C. McTaggart's Addition - south of 29th St. N., west of Broadway. (448-89442/636097/770177) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$40,000.00
- k) 2000 Planeview Phase 1/reconstruct Planeview - east of Hillside, north of 31st Street. (468-83164/622228/640336) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$300,000.00
- l) 2000-2001 wheelchair ramp and sidewalk - Phase I - north of 47th Street South and east of 135th Street West. (472-83270/706806/200280) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, IV, V and VI) - \$200,000.00
- m) 2000-2001 wheelchair ramp and sidewalk - Phase II - north of 47th Street South and east of 135th Street West. (472-83270/706806/200280) Traffic to be maintained during construction using flagpersons and barricades. (Districts II, III and VI) - \$100,000.00
- n) Waco from the north line of 26th Street North to the south line of 27th Street North to serve F.C. McTaggart's Addition - south of 29th Street North, west of Broadway. (472-83152/765609/490720) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$112,350.00
- o) Jackson from the north line of 26th Street North to the south line of 27th Street North to serve F.C. McTaggart's Addition - south of 29th Street North, west of Broadway. (472-83160/765607/490718) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$109,000.00
- p) Fairview from the north line of 26th Street North to the south line of 27th Street North to serve F.C. McTaggart's Addition - south of 29th Street North, west of Broadway. (472-83151/765622/490733) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$102,820.00
- q) 26th Street North from the east line of Arkansas to the west line of Wichita Street to serve F.C. McTaggart's Addition - south of 29th Street North, west of Broadway. (472-83149/765606/) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$236,470.00
- r) Clear Creek Circle from the north line of Gilbert, north to and including the cul-de-sac; Gilbert, from the east line of Lot 1, Block 7, west to the west line of the plat to serve Springdale Lakes Addition - south of Kellogg, east of 127th Street East. (472-83249/765642/490753) Does not affect existing traffic. (Districts II, III and VI) - \$253,000.00

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r) Main 1, Northwest Interceptor Sewer including pump station and force main - north of 21st, west of Maize Road. (468-83130/624058/659056) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$1,576,025.00

Motion -- carried Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

WATER SYSTEM

PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM ALONG BURTON STREET, BETWEEN ST. PAUL AND GORDON. (District IV)

Agenda Report No. 00-1049.

The Petition has been signed by two owners, representing 100% of the improvement district.

This project will provide water service to a residential property.

The Petition totals \$3,000. The funding source is special assessments.

Motion -- carried Knight moved that Petition be approved and the Resolution be adopted Motion carried 7 to 0.

RESOLUTION NO. R-00-374

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89513 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

District VI Advisory Board, 7-10-2000
District VI Advisory Board, 7-19-2000
District VI Advisory Board, 8-7-2000
District VI Advisory Board, 8-16-2000
District VI Advisory Board, 9-11-2000
District VI Advisory Board, 9-20-2000
District II Advisory Board, 9-11-2000
Wichita Employees' Retirement System, 8-23-2000
Police & Fire Retirement System, 8-23-2000
Metropolitan Area Planning Commission, 8-31-2000
District I Advisory Board, 10/2/00
Metropolitan Area Planning Commission, 09/21/00
Wichita-Sedgwick County Board of Health, 09/21/00

Motion -- carried Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures considered.

9TH FLOOR REMODEL

CONTRACT - NINTH FLOOR BUILDING REMODEL.

Agenda Report No. 00-1050.

The Information Technology/Information Services (IT/IS) operation was established in 1988 with a staff of three. As IT/IS needs have grown, so has the function. A reconfigured work area is needed to accommodate the staff of 33 and training rooms while allowing for future expansion as IT/IS needs (and staff) continue to expand. Staff is currently located primarily in the basement with satellite operations on several different floors. Space is available on the 9th floor that would house the entire staff with the space required to expand. An architect is required to assist in design specifications, bid selection and monitoring the construction of the proposed facility improvements for a new IT/IS work area.

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A Request for Proposal (RFP) was mailed to 57 vendors. A pre-proposal conference and walk-through of the floor was extended to all vendors. Three (3) vendors responded to the RFP. A staff committee reviewed the proposals to select a vendor based on schedule, experience and price. Gossen Livingston is recommended to provide these services. Gossen Livingston has presented a detailed action plan for renovation of the 9th floor, completing the project in March 2001. Construction plans and costs will be approved by governing body prior to the initiation of the work.

There are funds available for this contract in the performance deposits account.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved in an amount not to exceed \$75,000, and the necessary signatures be authorized. Motion carried 7 to 0.

(Agenda Item No. 14b)

PROFESSIONAL SERV. CONTRACT FOR PROFESSIONAL SERVICES – ADAMSON.

Agenda Report No. 00-1051.

Since 1996 the City has been involved in a lawsuit in which over 250 property owners claim damages due to the City's negligence in designing and constructing paving improvements and stormwater improvements in the area of 55th Street South and Seneca Street. When the lawsuit was filed the City entered into a contract with the firm of Morris, Laing, Evans, Brock & Kennedy to represent the City's legal interests in this matter.

This dispute has involved significant investigation and research by outside counsel and an expert engineering witness. The plaintiffs' four best cases were tried in 1998 and an appeal to the Supreme Court of Kansas was recently decided. The issues in the case have been narrowed but there are more cases to be tried. In addition, a case filed by a developer in the area that had been stayed pending resolution of the Supreme Court appeal has now been set for trial. It is anticipated that significant legal work will continue over the next several months while the City attempts to resolve this matter through negotiation or litigation. The estimated fees and expenses to pursue this matter for that period of time is \$50,000. This will require an amendment to the existing contract.

These legal fees will be paid from the Stormwater Utility fund.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 6 to 0. Gale – No

SETTLEMENT

SETTLEMENT AND RELEASE AGREEMENT.

Agenda Report No. 00-1052.

Subject:

Settlement and Release Agreement - Gilbert & Mosley

On October 7, 1998, the City of Wichita filed a lawsuit against twenty-six parties in City of Wichita v. Aero Holdings, et al., No. 98-1360-MLB. The City alleged that these parties were responsible for the groundwater contamination in the Gilbert & Mosley site and sought to recover the costs of investigating and cleaning up the site. Several of the defendants have already settled the City's claims and an additional party now proposes to settle.

Under the proposed Settlement and Release Agreement with Carl Kelly, Great Plains Instrument Corp., Kelly Manufacturing, R.C. Allen I, and R.C. Allen II (jointly the "Kelly entities") with respect to the facility at 501-555 S. Topeka, the City would dismiss its claims against the Kelly entities for response costs in the Gilbert & Mosley Site. In return, the Kelly entities would pay the City the sum of \$72,000. The parties will seek Court approval of the settlement.

The total value to the City for this settlement is \$72,000.00. The settlement sum will be paid into the Gilbert & Mosley TIF fund as received and be used for the expenses of the Project.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

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DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES, WATER DISTRIBUTION SYSTEM – SOUTH OF 55TH STREET SOUTH, WEST OF BROADWAY. (District IV)

Agenda Report No. 00-1053.

The City Council approved the project on July 11, 2000.

The proposed Agreement between the City and TranSystems Corporation provides for designing Water Distribution System No. 448 89486. The Staff Screening & Selection Committee selected TranSystems for the design on August 7, 2000.

Payment will be on a lump sum basis of \$12,351, and will be paid by special assessments and Water Utility funds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES, KILLENWOOD POINTE ADDITION – SOUTH OF 13TH EAST OF GREENWICH. (District II)

Agenda Report No. 00-1054.

The City Council approved the project on September 11, 2000.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements in Killenwood Pointe Addition. Per Administrative Regulation 7a, staff recommends the selection of MKEC because MKEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$22,110, and will be paid by special assessments.

Motion --
-- carried 7 to 0.

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

ART MUSEUM

EXTENDED LOAN AGREEMENT FOR MUSEUM ACCESSION NO. 1982.7 ERNEST SHAW, CLUSTER IV, 1979, WELDED AND PAINTED STEEL - THREE PIECES. (District VI)

Agenda Report No. 00-1055.

The City has negotiated a loan agreement with the Wichita Art Museum for a two-year loan of the sculpture titled CLUSTER IV by Ernest Shaw in order to secure the sculptural piece and keep it accessible to the public. The Shaw sculpture, which has been displayed on the grounds of the Museum, is in the path of road construction (Sim Drive) and needed to be moved. Instead of placing the sculpture in storage until work on the renovation of Sim Drive and renovation of the Museum could be completed, the loan will allow the sculpture to be placed on view on the grounds at City Hall and enjoyed by the public.

At its October 3, 2000, meeting the Board of Trustees of the Wichita Art Museum Inc., approved the extended loan of the Ernest Shaw, Cluster IV, 1979 welded & painted steel pieces subject to approval by the Wichita City Council.

This work of art will be moved off Museum premises due to the forthcoming Museum building expansion and renovation project. The loan period is from September 15, 2000 through December 31, 2002. The borrower, City of Wichita, is self-insured and the work of art is subject to the conditions of this insurance arrangement.

This extended loan agreement is between the Wichita Art Museum, a private corporation, and the borrower, City of Wichita, and provides for the loaning to the borrower of the object for the purpose of exhibition, display or study and is subject to all the terms and conditions of this agreement.

The extended loan for this work of art is in conformance with the Collections Management Policy of the Museum.

This work of art has been recommended for an extended loan to the City of Wichita, City Hall, 455 N. Main, Wichita, Kansas. The City will assume responsibility for all expenses associated with the removal of the object

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from Museum grounds, transport of the object to City Hall, installation of the object at City Hall as well as the return transport and installation of the object at WAM.

The borrower, City of Wichita, of this extended loan agreement accepts all terms and conditions specified on the loan agreement document, including those set forth on the reverse side of the form.

Motion --
-- carried

Knight moved that the loan extension and Agreement be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

ART DEACCESSION

DEACCESSION OF THE ROMANESQUE ARCHITECTURAL FRAGMENT (ACQUIRED IN ENGLAND), 12TH CENTURY STONE PORTAL (17 STONES) 88 X 58 X 32 INCHES; HEIGHT OF OPENING-78 INCHES, (MUSEUM ACCESSION NO. 1977.99). (District #VI)

Agenda Report No. 00-1056.

A donor gave the Wichita Art Museum (WAM) the Romanesque architectural fragment (acquired in England), 12th Century Stone portal (17 stones) 88 x 58 x 32 inches; height of opening, 78 inches (museum accession no. 1977.99) in 1977. There were no conditions on the gift.

At its September 5, 2000, meeting, the Board of Trustees executive committee of the Wichita Art Museum Inc., approved the deaccession of the Romanesque architectural fragment (acquired in England), 12th Century Stone portal (17 stones) object subject to approval by the Wichita City Council. The object is not relevant to or consistent with the Museum's collection, exhibition and education goals.

As a 12th-century (acquired in England) architectural fragment this object is not relevant to the Museum's collection focus upon American art nor does it serve an educational function, i.e., to illuminate historical or aesthetic aspects of the primary collection. This object has never been placed on display at WAM nor has it ever been requested for loan. The donor supplied no information about the provenance of the objects and it is unlikely that sufficient history about the object could be obtained today to render it relevant to any museum collection.

This piece is taking up valuable storage space, staff time, and other Museum resources, which could more profitably be assigned to work that fulfilled WAM's collection mission.

WAM officials have contacted several museums with collections of medieval European holdings to seek their advice and possible interest in acquiring this object. The museums declined interest in the object. The appraiser Stephen Gleissner said "assemblages of this sort have no value to museums or to serious collectors." WAM subsequently offered the Romanesque architectural fragment to Botanica, The Wichita Gardens, as an unconditional gift to be used at their discretion. In a letter dated July 3, 2000, Botanica executive director Barbara Yarnell declared Botanica's desire to receive the object and to use it for decorative purposes on their grounds. I am therefore proposing to transfer object no. 1977.99 to Botanica where it may remain in a public institution and where it may serve the pleasure and edification of the community as intended by the donor.

The deaccession for this work of art is in conformance with the Collection Management Policy of the Museum.

This work of art has been recommended for transfer to Botanica, The Wichita Gardens. There will be no net proceeds from this transfer, due to no sale of art.

The City of Wichita succeeded to the ownership of all works of art previously owned by the City or the Wichita Art Museum, including the work of art under consideration. Under the Operation and Management Agreement with the Wichita Art Museum, Inc., the Board operates the Museum and its collections on behalf of the City. The City Council must approve any transfer or disposition of title of works of art, however. All funds received from the sale of works of art must be used by the Board exclusively for Museum purposes according to the contract and must be used under the Museum's Collection Management Policy for acquisition of art.

Motion -- carried

Knight moved that the deaccession be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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ART DEACCESSION

DEACCESSION OF THE ROMANESQUE ARCHITECTURAL FRAGMENT (ACQUIRED IN ENGLAND), 12TH CENTURY STONE PORTAL (20 STONES) 87-1/2 X 46 X 29 INCHES; HEIGHT OF OPENING-77INCHES, (MUSEUM ACCESSION NO. 1977.100). (District #VI)

Agenda Report 00-1057.

A donor gave the Wichita Art Museum (WAM) the Romanesque architectural fragment (acquired in England), 12th Century Stone portal (20 stones) 87-1/2 x 46 x 29 inches; height of opening, 77 inches (museum accession no. 1977.100) in 1977. There were no conditions on the gift.

At its September 5, 2000, meeting, the Board of Trustees executive committee of the Wichita Art Museum Inc., approved the deaccession of the Romanesque architectural fragment (acquired in England), 12th Century Stone portal (20 stones) object subject to approval by the Wichita City Council. The object is not relevant to or consistent with the Museum's collection, exhibition and education goals.

As a 12th-century (acquired in England) architectural fragment this object is not relevant to the Museum's collection focus upon American art nor does it serve an educational function, i.e., to illuminate historical or aesthetic aspects of the primary collection. This object has never been placed on display at WAM nor has it ever been requested for loan. The donor supplied no information about the provenance of the objects and it is unlikely that sufficient history about the object could be obtained today to render it relevant to any museum collection.

This piece is taking up valuable storage space, staff time, and other Museum resources, which could more profitably be assigned to work that fulfilled WAM's collection mission.

WAM officials have contacted several museums with collections of medieval European holdings to seek their advice and possible interest in acquiring this object. The museums declined interest in the object. The appraiser Stephen Gleissner said "assemblages of this sort have no value to museums or to serious collectors." WAM subsequently offered the Romanesque architectural fragment to Botanica, The Wichita Gardens, as an unconditional gift to be used at their discretion. In a letter dated July 3, 2000, Botanica executive director Barbara Yarnell declared Botanica's desire to receive the object and to use it for decorative purposes on their grounds. I am therefore proposing to transfer object no. 1977.100 to Botanica where it may remain in a public institution and where it may serve the pleasure and edification of the community as intended by the donor.

The deaccession for this work of art is in conformance with the Collection Management Policy of the Museum.

This work of art has been recommended for transfer to Botanica, The Wichita Gardens. There will be no net proceeds from this transfer, due to no sale of art.

The City of Wichita succeeded to the ownership of all works of art previously owned by the City or the Wichita Art Museum, including the work of art under consideration. Under the Operation and Management Agreement with the Wichita Art Museum, Inc., the Board operates the Museum and its collections on behalf of the City. The City Council must approve any transfer or disposition of title of works of art, however. All funds received from the sale of works of art must be used by the Board exclusively for Museum purposes according to the contract and must be used under the Museum's Collection Management Policy for acquisition of art.

Motion -- carried

Knight moved that the deaccession be approved and the necessary signatures be authorized. Motion carried 7 to 0.

ART DEACCESSION

DEACCESSION OF THE GOTHIC ARCHITECTURAL FRAGMENT (FRENCH, CA. 15TH CENTURY) WINDOW FRAME, CARVED OAK, 109 X 64 1/2 INCHES OVERALL; 34 X 44 INCHES WITHIN THE CENTRAL OPENING (MUSEUM ACCESSION NO. 1977.101). (District #VI)

Agenda Report No. 00-1058.

A donor gave the Wichita Art Museum (WAM) the Gothic architectural fragment (French, ca. 15th Century) Window Frame, carved oak, 109 x 64 1/2 inches overall; 34 x 44 inches within the central opening (museum accession no. 1977.101) in 1977. There were no conditions on the gift.

At its September 5, 2000, meeting, the Board of Trustees executive committee of the Wichita Art Museum Inc., approved the deaccession of the Gothic architectural fragment (French, ca. 15th Century) Window Frame subject to approval by the Wichita City Council. The object is not relevant to or consistent with the Museum's collection, exhibition and education goals.

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As a medieval European architectural fragment, this object is not relevant to the Museum's collection focus upon American art nor does it serve an educational function, i.e., to illuminate historical or aesthetic aspects of the primary collection. This object has never been placed on display at WAM nor has it ever been requested for loan. The donor supplied no information about the provenance of the object and it is unlikely that sufficient history about the object could be obtained today to render it relevant to any museum collection.

This piece is taking up valuable storage space, staff time, and other Museum resources, which could more profitably be assigned to work that fulfilled WAM's collection mission.

Because the object lacks aesthetic and historic merit sufficient to recommend it to a museum collection, WAM proposed that it be offered to Newman University, Wichita, Kansas, as an unconditional gift to be used by the University for decorative and/or educational purposes. WAM made the latter proposal to Edward Littig, Vice President for Advancement, Newman University, in a letter-dated 8/03/00. The letter clearly stated that WAM did not consider the object to be worthy of a museum collection due to lack of provenance and poor condition. Nonetheless, Littig responded in a letter-dated 8/10/00 that Newman University would be pleased to accept the object (1977.101) as a gift. He stated that the University planned "to mount it in an art classroom in the new De Mattias Hall." We recommend that WAM proceed with this transfer, a method of disposal that recognizes the donor's intent to have the object serve an educational purpose in the Wichita community.

The deaccession for this work of art is in conformance with the Collection Management Policy of the Museum.

This work of art has been recommended for transfer to Newman University. There will be no net proceeds from this transfer, due to no sale of art.

The City of Wichita succeeded to the ownership of all works of art previously owned by the City or the Wichita Art Museum, including the work of art under consideration. Under the Operation and Management Agreement with the Wichita Art Museum, Inc., the Board operates the Museum and its collections on behalf of the City. The City Council must approve any transfer or disposition of title of works of art, however. All funds received from the sale of works of art must be used by the Board exclusively for Museum purposes according to the contract and must be used under the Museum's Collection Management Policy for acquisition of art.

Motion -- carried

Knight moved that the deaccession be approved and the necessary signatures be authorized. Motion carried 7 to 0.

MUNICIPAL COURT

CHANGE ORDER – MUNICIPAL COURT REMODEL. (District VI)

Agenda Report No. 00-1059.

On November 17, 1998, the City Council approved the Municipal Courts remodel project. The remodel includes construction of a pedestrian connection into the City building, which connects the building to the City Hall parking garage and reconfiguration of space on floors two and three to accommodate court growth.

On March 8, 2000, a Contract Amendment with Schaefer Johnson Cox Frey was approved for the design and specifications for the remodel of the City Hall restrooms and repainting of the main corridors. The design will include floors 2 through 8 and 10 through 13.

With the construction of the new pedestrian connection and the disruption from construction activities, it is an opportune time to refresh other areas of City Hall. The City Hall building has been virtually unchanged since its original construction in 1975. The Change Order will provide for restroom modifications to include new Corian counter tops and sinks, with automatic faucets, new soap dispensers, new mirrors, new toilet fixtures with automatic flush valves, lighting upgrades, new toilet compartments, tile, and new towel dispensers. In addition, all of the main corridors will be repainted to enhance the general appearance of the corridors to become more appealing to the public.

The total cost of the additional work is \$364,205. The Change Order will be funded as follows:

- Capital Improvement Maintenance Fund (OCA 130823 - \$65,000).
- Project account (OCA 791780 - \$35,000).
- Enhanced Building Maintenance Fund (OCA 792310 - \$264,205).

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The Change Order amount is within 25% of the construction Contract cost limit set by City Council policy. Change Orders over \$10,000 require City Council approval.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF PORTION OF THE SOUTHEAST CORNER OF MOSLEY AND 13TH STREET FOR THE 13TH STREET AND MOSLEY INTERSECTION IMPROVEMENT PROJECT.

Agenda Report No. 00-1060.

In July 1998, the City Council approved the improvement of the intersection of 13th Street North and Mosley as part of Phase II of the Arterial Corridor Program. The improvement of this intersection will require the acquisition of an 800 square foot triangle from the property located on the southeast corner. The property is improved with an industrial building. The improvements are not impacted by the taking.

he acquisition parcel is valued at \$2,000 (\$2.50 per square foot) and the owner has agreed to sell the property for this amount. The acquisition parcel contains a business sign which will have to be relocated at the City's expense.

Funds have been budgeted in the 2000 Capital Improvement Program. The funding source will be General Obligation bonds. A budget of \$7,000 is requested. This includes \$2,000 for the acquisition, \$4,500 for the sign relocation and \$500 for closing costs, survey and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF PORTION OF 1815 SOUTH MAIZE ROAD FOR THE WEST KELLOGG/TYLER AND MAIZE HIGHWAY IMPROVEMENT PROJECT. (District V)

Agenda Report No. 00-1061.

In November 1999, the City Council approved Ordinance 44-429 authorizing funding for the Kellogg/Tyler & Maize Highway project. This approval allowed the City to initiate acquisition of needed parcels. One such acquisition is located at 1815 South Maize Road and is owned by Billy and Mary Elaine Johnson. The site contains 23,340 square feet and is improved with a 1,237 square foot single-family residence. The taking involves a twenty-foot strip along the side of the property and will entail the removal of a fence, landscaping, trees, and other improvements.

The taking has been appraised for \$26,000 and the owner has agreed to sell the property for this amount.

Funds have been budgeted in the 2000 Capital Improvement Program. The funding source will be Local Sales Tax revenues. A budget of \$26,500 is requested. This includes \$26,000 for the acquisition and \$500 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY DISP.

SALE OF 3621 EAST 10TH STREET – PUBLIC HOUSING HOME OWNERSHIP PLAN. (District I)

Agenda Report No. 00-1062.

March 17, 1998, the City Council approved a pilot program for the sale of the City's single-family public housing stock, and authorized staff to submit the plan to the Department of Housing and Urban Development (HUD) for approval. The pilot program calls for 100 units of public housing to be made available to existing public housing tenants, and then subsequently to individuals on the Public Housing and Section 8 waiting lists. The plan requires potential buyers to qualify for permanent first-mortgage financing, and includes an element for assistance with the down payment and closing costs required to complete the purchase. This assistance is provided in the form of a zero-interest-deferred loan, secured by a second mortgage held by the City. No monthly payments are required on the second mortgage loan, and the loan is not due and payable until the property is sold or until such time as the owner ceases to use the property as his/her principal residence.

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Participation in a Maintenance Reserve Program is also required under the plan.

The plan has been approved by Housing and Urban Development.

Units sold under the plan must be sold for current appraised value. In this particular case, the unit appraised for \$40,000. The buyer has pre-qualified for a first mortgage loan, and will be responsible for the payment of pre-paid interest, the first year's hazard insurance premium, and the amounts required by the lender for initial deposits to the escrow account, as required by the plan. The buyer's investment is estimated to be approximately \$800.00. The buyer of this unit is currently a public housing tenant.

Since the Maintenance Reserve Plan is currently under development, a one-year home warranty will be provided for the buyer to cover potential problems with the unit until such time as the Maintenance Reserve Plan becomes operational.

Following Council approval, HUD approval will be solicited and the actual closing on the home will occur on or before October 31, 2000.

The subject unit will be sold for \$40,000, with the City financing approximately \$20,600 for the required down payment, closing costs, and financing of the Maintenance Reserve Premium. Net proceeds from the sale, after deductions for normal seller-paid costs, homeownership training expenses, and the second mortgage are expected to be approximately \$19,000. The adopted 5h plan specifies that 35% of the proceeds from the sale will be set aside for loan loss reserves, which must be held for a minimum of five years. Sale proceeds in excess of the loan loss reserves will be placed in a dedicated housing account (Housing Partnership Fund), for the development of affordable housing. With this sale, the majority of the proceeds may be used for capitalization of the Maintenance Reserve Program.

The purchase contract will be approved as to form by the City Law Department. The unit to be sold is one of the 100 units approved for sale by HUD, and the second unit sold since the implementation of the program.

Motion -- carried

Knight moved that the sale be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURE – 915 EAST 9TH STREET. (District I)

Agenda Report No. 00-1062.

On October 2, 2000 the Board of Code Standards (BCSA) held a hearing on the following property. This property is considered a dangerous and unsafe structure, and is being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on this structure, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove this property.

<u>Property Address</u>	<u>Council District</u>
915 East 9th	I

This structure has defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause it to be deemed as a dangerous and unsafe building, as required by State Statute for condemnation consideration.

Motion --
-- carried

Knight moved that the Resolution placing this matter on the agenda for a Hearing before the Governing body on December 12, 2000, at 11:00 a.m. be approved. Motion carried 7 to 0.

RESOLUTION R-00-373

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 6 and 7, on Stover Street now 9th Street, Dawson's Addition to Wichita, Sedgwick County, Kansas, known as 915 East 9th Street, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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(Addendum Item No. 21a)
HISTORIC PRES.

NATIONAL REGISTER NOMINATIONS FOR NAVARRE-NOKOMIS HISTORIC DISTRICT AND VIRGINIA APARTMENT BUILDING. (District VI)

Agenda Report No 00-1067.

HPB Recommendation: Supported the nominations.
Staff Recommendation: Write letter of support of the nominations.

The State Historic Preservation Office has asked for official comment regarding the National Register nominations for the above-mentioned properties. On October 9, 2000, the Historic Preservation Board voted unanimously to write a letter supporting the nominations to the National Register of Historic Places.

The owners of these properties have requested the National Register designation for the purpose of rehabilitation using the federal Historic Tax Credits. They have employed a local architectural firm to complete the renovation documents.

Should the State Sites Review Committee approve the nominations, state statute would regulate environs review for any properties within 500 feet of the designated properties' boundaries. The design review is performed by the Historic Preservation Board. Applicants may appeal decisions to the City Council.

Motion --
-- carried

Knight moved that Council concur with the Historic Preservation Board and write a letter from the City Council supporting the National Register nominations. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ OCTOBER 17, 2000)

WATER PROJECTS (February 2001 Bond Sale)

a) (470- 618/734948/448-88693)

ORDINANCE NO. 44-728

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-88693 to serve Wheatland Addition - south of MacArthur, west of Hoover, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b) (470-604/734934/448-88749)

ORDINANCE NO. 44-729

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-88749 to serve Wilderness at the Park Addition - south of Pawnee, east of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

c) (470-612/734942/448-88982)

ORDINANCE NO. 44-730

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-88982 to serve Hickory Creek Estates Addition, south of 13th Street, west of 119th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

d) (470-591/734921/448-89023)

ORDINANCE NO. 44-731

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89023 to serve

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Balthrop Addition and an Unplatted Tract of Land, north of Central, east of Greenwich Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

e) (470- 622/734952/448-89150)

ORDINANCE NO. 44-732

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89150 to serve Maple Dunes Addition - north of Maple, east of 135th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

f) (470-616/734946/448-89154)

ORDINANCE NO. 44-733

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89154 to serve Oak Ridge Second Addition, north of 29th Street North, east of Tyler Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

g) (470-485/734079/448-89171)

ORDINANCE NO. 44-734

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89171 to serve Hybritech Wheat Addition, east of Meridian, north of 53rd Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

h) (470-590/734920/448-89173)

ORDINANCE NO. 44-735

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89173 to serve Dillons Twelfth Addition and Unplatted Tracts No. 1, 2 and 3, north of 13th, east of Greenwich Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

i) (470-576/734906/448-89179)

ORDINANCE NO. 44-736

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89179 to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

j) (470-577/734907/448-89180)

ORDINANCE NO. 44-737

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89180 to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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k) (470-484/734061/448-89185)

ORDINANCE NO. 44-738

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89185 to serve an Unplatted Tract of Land - west of Meridian, south of 61st Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

l) (470-613/734943/448-89224)

ORDINANCE NO. 44-739

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89224 to serve Northridge Lakes Addition - east of Tyler Road, south of 29th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

m) (470-554/734764/448-89259)

ORDINANCE NO. 44-740

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89259 to serve two Unplatted Tracts of Land - along Arkansas Avenue, north of 43rd Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

n) (470-582/734912/448-89278)

ORDINANCE NO. 44-741

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89278 to serve Sunnyside Village Addition - south of Kellogg, west of Hillside, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

o) (470-581/734911/448-89321)

ORDINANCE NO. 44-742

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No 448-89321 to serve Rainbow Lakes West Third Addition - north of Maple, east of 135th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

p) (470-585/734915/448-89365)

ORDINANCE NO. 44-743

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89365 to serve Woodland Lakes Estates Second Addition - north of Harry, east of Greenwich, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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q) (470-608/734938/448-89387)

ORDINANCE NO. 44-744

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89387 to serve Smithmoor Ninth Addition - south of Harry, west of Greenwich Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

r) (470-607/734 937/448-89389)

ORDINANCE NO. 44-745

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89389 to serve Ridgeport North Addition - south of 37th Street, east of Ridge Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

s) (470-601/734931/448-89392)

ORDINANCE NO. 44-746

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89392 to serve The Legacy Addition - west of Meridian, south of MacArthur, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

t) (470-605/734935/448-89393)

ORDINANCE NO. 44-747

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89393 to serve Willowbend North Estates Addition - west of Rock Road, south of 45th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

u) (470-611/734941/448-89395)

ORDINANCE NO. 44-748

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89395 to serve Belriv Addition - north of Kellogg, west side of 159th Street East, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

v) (470-603/734933/448-89409)

ORDINANCE NO. 44-749

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89409 to serve Evergreen Addition – Phase 2 - north of 21st Street, west of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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w) (470-610/734940/448-89420)

ORDINANCE NO. 44-750

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89420 to serve Lindsay's Orchard Addition - north of Pawnee, west of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SEWER PROJECTS (February 2001 Bond Sale)

a) (480-504/743816/468-81835)

ORDINANCE NO. 44-751

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 32, Main 9, Sanitary Sewer No. 23 to serve Frank & Johnny's Addition - north of 37th Street North, west of Rock Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b) (480-511/743823/468-82290)

ORDINANCE NO. 44-752

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 320, Southwest Interceptor Sewer to serve Wheatland Addition - south of MacArthur, west of Hoover, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

c) (480-495/743807/468-82353)

ORDINANCE NO. 44-753

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 328, Southwest Interceptor Sewer to serve Wilderness at the Park Addition - south of Pawnee, east of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

d) (480-500/743812/468-82563)

ORDINANCE NO. 44-754

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 2, Main 18, Southwest Interceptor Sewer to serve Hickory Creek Estates Addition - south of 13th, west of 119th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

e) (480- 505/743817/468-82724)

ORDINANCE NO. 44-755

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 380, Southwest Interceptor Sewer to serve Oak Ridge Second Addition - north of 29th Street north, east of Tyler Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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f) (480-499/743811/468-82783)

ORDINANCE NO. 44-756

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 387, Southwest Interceptor Sewer to serve Northridge Lakes Addition - east of Tyler Road, south of 29th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

g) (480-471/743783/468-82870)

ORDINANCE NO. 44-757

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 406, Southwest Interceptor Sewer to serve Barefoot Bay Second Addition - west of Hoover, south of 29th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

h) (480-497/743809/468- 82987)

ORDINANCE NO. 44-758

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 429, Southwest Interceptor Sewer to serve Ridge Port North Addition - south of 37th, east of Ridge Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

i) (480-489/743801/468-82995)

ORDINANCE NO. 44-759

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 38, Main 15, Southwest Interceptor Sewer to serve an Unplatted Tract of Land - north of 21st Street, east of Ridge Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

j) (480-496/743808/468-82998)

ORDINANCE NO. 44-760

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 62, Main 9, Sanitary Sewer No. 23 to serve Willowbend North Estates Addition - west of Rock Road, south of 45th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

k) (480-492/743804/468-83012)

ORDINANCE NO. 44-761

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 435, Southwest Interceptor Sewer to serve four Unplatted Tracts of Land - south of Kellogg, west of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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l) (480-493/743805/468-83013)

ORDINANCE NO. 44-762

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 436, Southwest Interceptor Sewer to serve Evergreen Addition, Phase 2 - north of 21st Street, west of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

m) (480-494/743806/468-83017)

ORDINANCE NO. 44-763

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 77, Main 22, War Industries Sewer to serve Mediterranean Plaza Addition - north of 29th Street North, east of Rock Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

n) (480-498/743810/468-83035)

ORDINANCE NO. 44-764

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 440, Southwest Interceptor Sewer to serve Barefoot Bay Second Addition - south of 29th Street North, west of Hoover, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

o) (480-508/7438210 /468-83043)

ORDINANCE NO. 44-765

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral Sewer 60, Main 4, Southwest Interceptor Sewer to serve Unplatted Tracts of Land - north of Maple, east of Tyler Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STORM WATER SEWER PROJECTS (February 2001 Bond Sale)

a) (485-172/751281/468-82394)

ORDINANCE NO. 44-766

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 453 to serve Kansas Surgery and Recovery Center Addition - east of Webb Road, south of K-96, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b) (485-169/751278/468- 82988)

ORDINANCE NO. 44-767

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 144 to serve Ridge Port North Addition and Unplatted Tract of Land - south of 37th Street North, east of Ridge Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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c) (485-170/751279/468-82994)

ORDINANCE NO. 44-768

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 146 to serve Smithmoor Ninth Addition - south of Harry, west of Greenwich Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PAVING PROJECTS (February 2001 Bond Sale)

a) (490-486/763839/472-82569 and 490-486/765589/472-83201)

ORDINANCE NO. 44-769

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Lark Lane from the south line of Lark Second Addition, north to the Atchison, Topeka, Santa Fe Railroad, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b) (490-692/765581/472-82833)

ORDINANCE NO. 44-770

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Shadow Lakes from the east line of Tyler to the west line of Pepper Ridge; High Point/Shady Lane from the south line of Shadow Lakes to the west line of Pepper Ridge; High Point Court from the west line of High Point of and including the cul-de-sac and Sidewalks be constructed on the south side of Shadow Lakes - north of 29th Street North, east of Tyler, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

c) (490-698/765587/472-82871)

ORDINANCE NO. 44-771

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Pepper Ridge from the south line of Lot 12, Block 5 to the north line of Lot 23, Block 5 and Forest Park, from the east line of Pepper Ridge to the west line of Lot 1, Block 3 - north of 29th Street North, east of Tyler, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

d) (490-716/765605/472-82890)

ORDINANCE NO. 44-772

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving Meadow Pass, Pepper Ridge, Meadow Pass Court and Sidewalk along the east and south line of Meadow Pass - east of Tyler Road, south of 29th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

e) (490-602/765008/472-82903)

ORDINANCE NO. 44-773

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Moscelyn, Threewood, Lynndale, Fivewood, Sandwedge, Fawnwood, Fivewood Court, Fivewood Circle, Sandwedge Court, Sandwedge Circle, Fawnwood Court and Sidewalks - north of Kellogg, east of 151st Street West, read for the second time. Knight moved that the Ordinance

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be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

f) (490-596/764944/472-82904)

ORDINANCE NO. 44-774

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 151st Street West from the north line of US Highway 54, north to the north line of Hendryx - north of Kellogg, east of 151st Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

g) (490-587/764852/472-82912)

ORDINANCE NO. 44-775

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of landscaping Bradley Fair Parkway - south of 21st Street North, east of Rock Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

h) (490-623/765214/472-82978)

ORDINANCE NO. 44-776

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Second Street from the east line of Hoover to the west line of Flora and from the east line of Flora to the west line of Elder - south of Central, east of Hoover, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

i) (490-624/765222/472-82979)

ORDINANCE NO. 44-777

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Third Street from the west line of Florence to the west line of West Street - south of Central, west of West Street, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

j) (490-622/765206/472-82980)

ORDINANCE NO. 44-778

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Lockwood from the east line of Seneca to the west line of Southwind - south of 47th Street South, east of Seneca, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

k) (490-637/765354/472-82981)

ORDINANCE NO. 44-779

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Custer from the south line of 27th Street South, south to the south line of Sunnybrook Lane - south of 27th Street South, east of Sheridan, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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l) (490-636/765347/472-82982)

ORDINANCE NO. 44-780

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of 27th Street South, west of Custer - south of Pawnee, west of Meridian, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

m) (490-638/765362/472-82983)

ORDINANCE NO. 44-781

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Sunnysbrook Lane from the west line of Sheridan Avenue, east to the west line of Custer - south of Pawnee, west of Meridian, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

n) (490-640/765388/472-82995)

ORDINANCE NO. 44-782

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Maywood - south of 47th Street South, east of Seneca, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

o) (490-649/765479/472-83020)

ORDINANCE NO. 44-783

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 32nd Street North from the east line of Coolidge to the west line of Porter - north of 29th Street North, west of Seneca, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

p) (490-676/765565/472-83022)

ORDINANCE NO. 44-784

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Forestview from the west line of Angela to 294' east of Angela, including Forestview Court, Forestview Circle, and on Angela from the south line of Forestview to 165' south of Forestview - north of Maple, east of 135th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

q) (490-678/765567/472-83058)

ORDINANCE NO. 44-785

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Rita from the west line of Lot 12, Block 1 to the west line of Stony Point Lane; Stony Point Circle from the south line of Rita to and including cul-de-sac; Stony Point Lane from the south line of Rita to the west line of Rita; and Jewell Court from the south line of Jewell to and including cul-de-sac - north of Pawnee, west of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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r) (490-683/765572/472-83060)

ORDINANCE NO. 44-786

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of East First Street Circle from the east line of Jackson to and including cul-de-sac - north of Douglas, east of 127th East, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

s) (490-662/765551/472-83065)

ORDINANCE NO. 44-787

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Northridge Court from the south line of Northridge to and including the cul-de-sac - north of 21st, east of Tyler Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

t) (490-677/765566/472-83066)

ORDINANCE NO. 44-788

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Hoover from the south line of First Street to the north line of Second Street - south of Central, east of I-235, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

u) (490-680/765569/472-83081)

ORDINANCE NO. 44-789

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Sunnyside from the east line of Chautauqua to the west line of Lorraine; Lorraine from the north line of Orme to the north line of Sunnyside - north of Orme, west of Lorraine, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

v) (490-685/765574/472-83082)

ORDINANCE NO. 44-790

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 19th Street North from the east line of Wabash to the west line of Ohio - south of 21st Street North, west of Hydraulic, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

w) (490-688/765577/472-83088)

ORDINANCE NO. 44-791

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Parkridge from the north line of Pawnee, north to the south line of Lotus; Blake and Cardington from the east line of Parkridge, east and south to the north line of Pawnee; Haskell from the east line of Parkridge east to the northwest line of Lot 1, Block 12, Pawnee Mesa Addition, and Sidewalk along both sides of Parkridge - north of Pawnee, west of Maize Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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x) (490-702/765591/472-83099)

ORDINANCE NO. 44-792

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 27th Street South from the east line of Custer to the west line of St. Paul - south of Pawnee, west of Meridian, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

y) (490-703/765592/472-83118)

ORDINANCE NO. 44-793

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 43rd Street South, 44th Street South, Richmond, Richmond Court; and Sidewalk on the south side of 43rd Street South from the west line of Lot 18, Block 8 to the west line of Meridian and on both sides of 44th Street South from the west line of Lot 13, Block 11 to the west line of Meridian - west of Meridian, south of MacArthur, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

z) (410-076/710214/472-83130)

ORDINANCE NO. 44-794

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of a Traffic Signal to serve the intersection of Anna and Maple - south of Maple, west of West Street, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

aa) (490-707/765596/472-83133)

ORDINANCE NO. 44-795

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Parkdale, Central Park, Ryan and Parkdale Courts, all in Evergreen Addition - south of 29th Street North, west of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SECOND READING ORDINANCES (FIRST READ OCTOBER 17, 2000)

a) Tax Exemption – Great Plains Ventures, Inc., and Great Plains Industries, Inc. (District I)

ORDINANCE NO. 44-801

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; describing the property of Great Plains Ventures, Inc., so exempted; and repealing Ordinance #42-60, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b) Improvements to Woodchuck, from Learjet Way to Kellogg, and Learjet Way, from Mid Continent Drive to 1800 Feet West of Mid Continent Drive. (District V)

ORDINANCE NO. 44-802

An Ordinance declaring Woodchuck, from Learjet Way to Kellogg and Learjet Way, from Mid-Continent Drive to 1800 Feet west of Mid-Continent Drive (472-83286) to be a main trafficway within the City of Wichita, Kansas, declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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- c) SCZ-0801 - north side of 21st Street North, East of Hoover Road. (District V)

ORDINANCE NO. 44-803

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. SCZ-0801

- d) ZON2000-00040 – north of 50th Street South and west of Seneca. (District IV)

ORDINANCE NO. 44-804

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Zon2000-00040

- e) A 00-19 – northwest corner of 21st Street North and 127th Street East. (District II)

ORDINANCE NO. 44-805

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 00-19

PLANNING AGENDA

Marvin Krout Director of Planning stated that Item 23 has been pulled from the Agenda; Items 24, 25 and 26 could be considered as consensus Items unless the Council desired to withhold other Items.

Motion -- Knight moved that the Planning Agenda Items 24, 25 and 26 be approved as consensus Items. Motion carried -- carried 7 to 0.

VAC2000-00029 **VAC2000-00029 – VACATE STREET AND ALLEY RIGHT-OF-WAY LOCATED SOUTH OF CENTRAL AND WEST OF MEAD.** (District VI)

This Item was pulled from the Agenda.

S/D 99-62 **S/D 99-62 PLAT OF RIDGE PORT NORTH THIRD ADDITION LOCATED EAST OF RIDGE ROAD, NORTH OF 29TH STREET NORTH.** (District V)

Agenda Report No. 00-1064.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (11-0)

A zone change (Z-3344) from SF-6, Single-Family Residential to MF-29 has been approved for Lot 1, Block G subject to platting. A zone change (Z-3343) from SF-6, Single-Family Residential to TF-3, two-family Residential has been approved for Lots 6-23, Block B subject to platting.

Petitions, all 100%, have been submitted for sanitary sewer, municipal water, drainage and paving improvements. A Certificate of Petitions has also been submitted.

In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for each such lot. In order to allow for the platting of a street

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with a narrow or nonstandard right- of-way dedication, a 15-foot street, drainage, and utility easement was platted with a covenant restricting the use of easements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions and restrictive covenants will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the documents and plat be approved; the necessary signatures be authorized; the Ordinance Z-3344 be placed on first reading; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-375

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89503, (east of Ridge Road, north of 29th Street North), the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-376

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89504, (east of Ridge Road, north of 29th Street North), the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-377

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89505, (east of Ridge Road, north of 29th Street North), the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-378

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 541, (east of Ridge Road, north of 29th Street North), 468-83165, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-379

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 542, (east of Ridge Road, north of 29th Street North), 468-83166, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-380

Resolution of findings of advisability and Resolution authorizing construction of Lateral 1, Main 19, Southwest Interceptor Sewer, (east of Ridge Road, north of 29th Street North), 468-83167, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-381

Resolution of findings of advisability and Resolution authorizing construction of Lateral 2, Main 19, Southwest Interceptor Sewer, (east of Ridge Road, north of 29th Street North), 468-83168, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-00-382

Resolution of findings of advisability and Resolution authorizing improving of 34th Street North, from the east line of Ridge Road, east to the west line of Lakeway; and on Hazelwood, from the south line of the Plat, north to the south line of 34th Street North; 34th Court North (Lots 12 through 18, Block E), from the north line of 34th Street North, north to and including the cul-de-sac; on 34th Court North (Lots 6 through 11, Block E) from the north line of 34th Street North, north to and including the cul-de-sac; Hazelwood Court, from the east line of Hazelwood, east to and including the cul-de-sac; and sidewalk along one side of 34th Street North, from the west line of the Plat, east to the west line of Lakewood (east of Ridge Road, north of 29th Street North), 472-83275, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-383

Resolution of findings of advisability and Resolution authorizing improving of Lakeway, from the south line of 34th Street North, north to the north line of the Plat; on Brookview, from the east line of Ridge Port, east to the west line of Lakeway; on Ridge Port, from the north line of the Plat, south to the south line of Brookview; and on Brookview Circle, from the west line of Ridge Port, west to the west line of Brookview Court; Ridge Port Court (Lots 1 through 5, Block A), from the east line of Ridge Port, east to and including the cul-de-sac; on Ridge Port Court, (Lots 6 through 10, Block A) from the east line of Ridge Port, east to and including the cul-de-sac; on Ridge Port Court (Lots 11 through 14, Block A) from the east line of Ride Port, east to and including the cul-de-sac; on Brookview Court (Lots 6 through 15, Block B) from the north line of Brookview Circle north to and including the cul-de-sac; on Brookview Circle (Lots 16 through 20,, Block B) from the west line of Brookview Court, west to and including the cul-de-sac; on Brookview Circle, from the east line of Lakeway East and north to and including the cul-de-sac; on Brookview Court Lots 12 through 16, Block D) from the east line of Brookview Circle south to and including the cul-de-sac; on 34th Circle North, from the south line of 34th Street North, east and north to and including the cul-de-sac; and sidewalk along one side of Lakeway, from the south line of 34th Street North, north to the north line of the Plat; sidewalk on one side of Brookview from the south line of Ridge Port, east to the west line of Lakeway; and sidewalk on one side of Ridge Port from the south line of Brookview, north to the north line of the Plat (east of Ridge Road, north of 29th Street North), 472-83276, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-384

Resolution of findings of advisability and Resolution authorizing improving of Sandplum Circle, from the south line of 34th Street North, south and east to and including the cul-de-sac; and on Sandplum Court, from the east line of Sandplum Circle, east to and including the cul-de-sac, (east of Ridge Road, north of 29th Street North), 472-83277, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-385

Resolution of findings of advisability and Resolution authorizing improving of the west half of Eisenhower, from the south line of the Plat north to 34th Street North (east of Ridge Road, north of 29th Street North), 472-83288, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z3343 and 3344

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(Agenda Item No.25)
S/D 99-62

SUB-2000-29 PLAT OF TARA FALLS SECOND ADDITION LOCATED SOUTH OF HARRY STREET, WEST OF 127TH STREET EAST. (District II)

Agenda Report No. 00-1065.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (12-0)

This is a Replat of a reserve area in the Tara Falls Addition to create an additional residential lot. The site is zoned SF-6, Single-Family Residential. Although this site is within the City of Wichita, it will use the County's Four-Mile Creek sanitary sewer system and petitions for sewer improvements will be handled by the County. Other petitions, all 100%, have been submitted for municipal water, and paving improvements. Both a City and County Certificate of Petitions have also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificates of Petitions will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that documents and plat be approved; the Resolutions be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-386

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89514 (south of Harry, west of 127th Street East), the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-387

Resolution of findings of advisability and Resolution authorizing improving of Tara Falls from the south line of Michelle to the south line of Lot 42, Block A, Tara Falls Addition; and Tara Falls Court: from the south line of Tara Falls to and including the cul-de-sac (Lots 31-41, Block A); and Tara Falls Court; from the north line of Tara Falls to and including cul-de-sac (Lots 19-32, Block C) (south of Harry, west of 127th Street East), 472-83287, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

A 00-20

A 00-20 – ANNEXATION OF LAND GENERALLY LOCATED WEST OF 143RD STREET EAST AND ONE-HALF MILE NORTH OF U.S. HIGHWAY 54 AND SOUTH OF KTA. (District II)

Agenda Report No. 00-1066.

The City has received two requests to annex two (2) contiguous tracts of land totaling 47.44 acres, situated west of 143rd Street East and 1/2 mile north of U.S. Highway 54 and south of KTA. The southern boundary of the 32.44-acre tract abuts the current City of Wichita Limits, and the eastern boundary of the 15-acre tract abuts the current City of Wichita Limits. The owner of the 32.44-acre tract is planning to develop the area with 126 patio homes. The owner of the 15-acre tract is planning to build a church. The staging of development of the patio homes is planned over multiple years, with 100% of development to be completed within four (4) years. The staging of development for the church has been planned for 100% of development to be completed next year.

Land Use and Zoning: The annexation area consists of two (2) contiguous undeveloped tracts of land zoned "SF-20" Single Family Residential. Land to the east and south of the proposed area is zoned "SF-6" Single Family Residential. Land north and west is in agricultural production and zoned "SF-20" Single Family Residential. Upon annexation, the "SF-20" Single Family Residential zoning of the subject properties will convert to "SF-6" Single Family Residential.

Public Services: The City Water and Sewer Department indicates that the subject properties proposed for annexation will likely connect to an existing 12" water main along 143rd Street East. However, as a platting

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requirement, this water main will need to be extended to the north boundary of the proposed church property. The City will pay for the oversizing of the line at a cost of \$4,000. As for sewer, it is anticipated that an 8" main from the Four-Mile Creek sewer will be extended from the east with 100% of the cost paid by the developers.

Street System: The properties proposed for annexation will have access to 143rd Street East, a 2-lane arterial, which serves the area as the nearest major north-south road, and Kellogg, a 4-lane arterial, which serves the area as the nearest major east-west road. Currently, there are no plans to further improve that portion of 143rd Street East or that portion of Kellogg in the City of Wichita 2000-2009 C.I.P. or the 2000-2004 Sedgwick County C.I.P.

Public Safety: Under the City-County first response agreement, fire services to these properties can be provided most readily, within a four (4) to five (5) minute approximate response time, from County Station #38 located at 1010 North 143rd Street East. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 South Edgemoor.

Parks: Chisholm Greenway, a 10-acre Recreation Corridor, is located approximately ½ mile northwest of the proposed annexation area. The Wichita-Sedgwick County Parks and Open Space Master Plan shows two potential park sites that could serve this area, one located approximately one-mile northeast and the second located approximately one-mile southwest of the annexation area.

School District: The properties are located in Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The properties are also located within the 2010 Urban Service area, as depicted in the 1999 Update to the Comprehensive Plan, recently adopted by the City Council and the County Commission.

The plat for the patio homes was approved by MAPC on September 21, 2000, and the plat for the church was approved by MAPC on April 8, 2000. The total agricultural appraised value of the property proposed for patio homes is \$1,740, resulting in an assessed value of \$527. The future assessed value of this property will depend on the timing of development, the type of development, and the current mill levy. However, the applicant projects an overall appraised value of \$9,828,000 when development is completed, resulting in an assessed value of \$1,130,220. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$35,496 in City annual tax revenues. The total agricultural appraised value of the property proposed for a church is \$810, resulting in an assessed value of \$243. The applicant projects an overall appraised value of \$1,020,000 when development is complete. However, the proposed church development will be tax-exempt.

Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading.
Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 00-20

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation and legal advice; preliminary discussions relating to the acquisition of real property for public purposes; matters relating to employer-employee negotiations; confidential data relating to the financial affairs or trade secrets of a business; and the Council return from executive session no earlier than 11:45 p.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:55 a.m. and reconvened at 11:57 a.m.

Mayor Knight

Mayor Knight said that, as a result of the executive session, the following Item would be taken up:

PROPERTY ACQ.

LAND ACQUISITION

Agenda Report No. 00-1068

The City Council has previously reviewed and approved the Fire Station Location Study that anticipates the relocation of eight existing fire stations and the addition of two new fire stations over the next ten years. The

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governing body has also approved construction of a new regional branch library as part of the City's capital program. A review of possible sites has been underway, and the first of the site reviews has been completed.

A City staff team, including representatives from Fire, Library, Park, City Manager, and Finance conducted a review of multiple sites (18 in total) for the relocation of two of the fire stations, as well as co-location of the regional branch library with one of the fire stations. A review of possible co-location with public school sites was also conducted with USD #259 staff (no feasible sites were identified). The sites at 1104 S. Meridian and the northwest quadrant of I-235 and Meridian are considered the most optimum locations by the staff team.

The estimated cost of acquisition of the two sites is \$788,000 (\$88,000 for one site and \$700,000 for the other). Funding for the land acquisition is included in the adopted Capital Improvement Program.

Motion -- carried

Gale moved that the land acquisition be authorized and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R 00-388

A Resolution authorizing the issuance of general obligation bonds of the City of Wichita, Kansas, to pay all or a portion of the costs of acquiring property generally located at 1104 South Meridian and northwest of I-235 and Meridian in Wichita, Sedgwick County, Kansas, for the purpose of locating Fire Station and Branch Library sites, presented. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ADJOURNMENT

The City Council meeting adjourned at 11:59 a.m.

Pat Burnett CMC
City Clerk